

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

IN RE:)
MICHAEL A. DONOVAN) CASE NO. 10-80415 JAC-13
JUDIE A. DONOVAN)
SSN(S): XXX-XX-2310 XXXXX-2847) CHAPTER 13
DEBTOR(S)	

CONFIRMATION ORDER

The debtor's plan was filed on February 5, 2010. The Court finds that the plan (or amended plan if applicable) meets the requirements of 11 U.S.C. § 1325.

IT IS THEREFORE ORDERED THAT: The debtor's Chapter 13 plan is confirmed, with the following provisions:

(1) **Plan Payments** – The debtor shall pay **\$2,075.00 MONTHLY FOR 60 MONTHS** to Philip A. Geddes, the Chapter 13 trustee. This is a **60** month **EXTENSION** plan.

(2) **Claims** – To be paid in this case, a creditor must file a proper proof of claim with this Court. Proofs of claims filed prior to the date of this confirmation order will be paid as filed unless objected to prior to confirmation. Proofs of claims filed after the date of this confirmation order will be paid as filed unless an objection is filed.

(3) **Attorney Fee** – The debtor's attorney is awarded a fee of \$2,750.00 OF WHICH \$605.00 HAS BEEN PAID.

(4) **Payments by the Trustee** – From money received, the trustee shall first pay 507(a)(2) costs, including 503 (b) claims of filing fees of \$274.00 and then attorneys fees of \$2,145.00. When these costs have been paid, the trustee shall pay the properly filed secured claims, then the properly filed priority claims, then any properly filed claims being sub-classed. The remaining monies received by the trustee shall then be distributed pro rata to properly filed unsecured claims.

Special Provisions:

- CLAIMS DISTRIBUTION WILL BE SUBJECT TO MODIFICATION AFTER BAR DATE REVIEW.

(5) **Child Support and Alimony** – Debtor shall pay all current child support and/or alimony payments which become due during the life of this plan. All stays provided for by the Bankruptcy Court or orders of this Court which would prohibit the filing of a wage withholding order against the debtor to force payment of current child support or alimony are hereby vacated.

(6) **Property of the estate** – “[T]he plan upon confirmation returns so much of that property to the debtor's control as is not necessary to the fulfillment of the plan.” *In re Telfair*, 216 F.3d 1333 (11th Cir. 2000)(quoting *In re Heath*, 115 F.3d at 524 (7th Cir. 1997)).

DONE and ORDERED this day June 30, 2010

/s/ Jack Caddell
Jack Caddell
U.S. Bankruptcy Judge